AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

M.J. SMYSER

COUNTY O	F	entre :	CIVIL ACTI	ON NO.:	00-cv-00895	/ .
I, Francis I	M. Dougherty	being d	ıly sworn, dep	ose and say:		
(1)		yed as Business Manager				
	I have serve	ed in that capacity since <u>Dece</u>	mber 22, 19 <u>9</u>	<u>l_</u> .		
(2)	The plaintif	f, TERRANCE MONTAGE	JE	Reg. No.	BZ-2761	
	is presently	incarcerated at the said institut	ion.	•		
(3)		ing is a listing of assets at the sa	id institution b	elonging to	plaintiff:	
	1.	Present balance:	\$,	-6.93	
	2.	Total amount of deposits of	luring			
		six months preceding the fil	ing of			
HARRISBU	HC	the complaint:	\$		253.47	
APR 0 4 20	3.	Average monthly balance:	\$		9.18	
	A	Average monthly deposits:	\$	 	42.25	
MARY E. D'ANDREA	b. Em	ployment				
DEPUTY CLE	FRK 1.	Institution employment:	\$		54.31	
	2.	Average monthly deposits:	\$		9.05	
		er resources: RSONAL GIFTS, REFUNDS				

- (4) I have attached a true and correct copy of the record of the transactions of the prisoner's account which occurred within the six months preceding the filing of the complaint.
- (5) The above information set forth in this affidavit is true and correct to the best of my knowledge, information and belief.

Francis M. Dougherty, Business Manager

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Case 1:00-cv-00895-JAS	2000UMENIA25		Page 2 of 9
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												•
												g.
.184						Constant						
9.18	\$ (1.29) \$		0.87	6	(5.52)		\$ 25.06		38.39	&	\$ (2.40)	-
	(6.93)	4/1/02			(4.13)	2/1/02 \$	(7.89)	1/1/02			(0.51)	11/1/01
	(6.93)	3/31/02			(4.13)	-	(7.89)	12/31/01	71.60	_	(0.51)	10/31/01
	(6.93)	3/30/02			(4.13)		(7.89)	12/30/01	71.60		(0.51)	10/30/01
	(6.93)	3/29/02		- 1	(4.13)		(7.89)	12/29/01	71.60		(0.51)	10/29/01
	(6.93)	3/28/02			(2.13)	1/28/02 \$	(7.89)	12/28/01	71.60		(0.51)	10/28/01
	(2.93)	3/27/02			(2.13)		(7.89)	12/27/01	71.60		(0.51)	10/27/01
	(2.93)	3/26/02	22		(2.13)		(7.89)	12/26/01	71.60	11/26/01 \$	(0.51)	10/26/01
	(2.93)	3/25/02		2/25/02 \$	(2.13)		(7.89)	12/25/01	71.60		(0.51)	10/25/01
	(2.93)	3/24/02					(7,89)	12/24/01	71.60		(0.51)	10/24/01
	(2.93)	3/23/02		2/23/02 \$		1/23/02 \$	(7.89)	12/23/01	71.60	11/23/01 \$	(0.51)	10/23/01
	(2.93)	3/22/02					(7.89)	12/22/01	71.60	-	(0.51)	10/22/01
	(2.93)	3/21/02					(7.89)	12/21/01	71.60		0.19	10/21/01
	(2.93)	3/20/02	0.06				(7.89)	12/20/01	71.60	11/20/01 \$	0.19	10/20/01
	(2.93)	3/19/02		2/19/02 \$		1/19/02 \$	0.11	12/19/01	71.60	11/19/01 \$	0.19	10/19/01
	(2.93)	3/18/02	0.06				29.60	12/18/01	71.60	11/18/01 \$	0.19	10/18/01
	(2.93)	3/17/02					29.60	12/17/01	71.60	11/17/01 \$	0.19	10/17/01
	(2.93)	3/16/02		t	Ī		29.60	12/16/01		11/16/01 \$	8.90	10/16/01
	(2.93)	3/15/02		2/15/02 \$	ĺ		29.60	12/15/01			19.88	10/15/01
	(2.93)	3/14/02					29.60	12/14/01		11/14/01 \$		10/14/01
	(2.93)	3/13/02		2/13/02 \$			29.60	12/13/01		11/13/01	\$ (7.58)	10/13/01
					İ		29.60	12/12/01	(2.51)		\$ (7.58)	10/12/01
		-			(7.89)			12/11/01			\$ (7.58)	10/11/01
		$\overline{}$		- (12/10/01	(2.51)	_		10/10/01
	\$ 0.16					1/9/02 \$		12/9/01		11/9/01 \$		10/9/01
								12/8/01	(2.51)	_		
				2/7/02 \$			\$ 71.60	12/7/01	İ	_	\$ (7.58)	10/7/01
		_		7			İ	12/6/01				10/6/01
	& 0.16						ક	12/5/01		11/5/01 \$	\$ (7.58)	10/5/01
							69	12/4/01				10/4/01
	\$ 0.16		\$ (4.13)		(11.	1/3/02 \$	\$ 71.60	12/3/01	\$ (0.51)	11/3/01	\$ (7.58)	10/3/01
	\$ 0.16	3/2/02	\$ (4.13)	2/2/02	6 (7.89)	1/2/02	\$ 71.60	12/2/01	(0.51)	11/2/01	\$ (7.58)	10/2/01
AVENAGE	DALAINCE.	5	ביין ביין				0,000					
6 MONTH			ACCOUNT BALANCE	DAY	ACCOUNT BALANCE	DAY A	ACCOUNT RAI ANCE	DAY	ACCOUNT BALANCE	DAY	ACCOUNT BALANCE	DAY
										LANCE	ONTHLY B/	AVERAGE MONTHLY BALANCE

42.25	\$ 42		\$ 9.05	AVG
.47	\$ 253.47	\$ 199.16	\$ 54.31	TOTALS
1		9	1	
50.00	\$ 50	50.00		3/12/02
7.20	\$ 7	7.20		3/11/02
25.00	\$ 25	25.00		2/26/02
12.96	\$ 12	12.96		2/11/02
5.76	€9		5.76	1/14/02
4.00	\$	4.00	417.0	1/10/02
100.00	\$ 100	100.00		11/16/01
21.09	\$ 21		21.09	11/13/01
27.46	\$ 27		\$ 27.46	10/15/01
•	TOTAL	OTHER	INST EMP	DATE
		-		
		EPOSITS	MONTHLY D	AVERAGE MONTHLY DEPOSITS
		-		
6	U//	FRANCE MONIAGOE, BL-2/61	CE MON	「ロススない

· PA DEPT. OF CORRECTIONS BUREAU OF COMPUTER SERVICES PARTIAL ACCOUNT LISTING REMOTE PRINT TIME 13:10

INMATE ACCOUNTS SYSTEM FROM PURGE FILE

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RUN IAS365 DATE 4/01/2002 PAGE

INMATE NAME NUMBER LAST BZ2761 MONTAGUE

FIRST TERRANCE

STARTING BALANCE 18.75

					10.75
BATCH	DATE			TRANSACTION	BALANCE AFTER
#	MO DY YEAR		TRANSACTION DESCRIPTION	AMOUNT	
				11100N1	TRANSACTION
8181	06-30-2001	32	ROC COMMISSARY		
			FOR 7/02/2001	-17.70	1.05
3156	07-10-2001	41	MEDICAL	_,,,,,	1.05
			MEDICAL CO-PAY 7-9-01	-4.00	-2.95
3193	07-16-2001	10	MAINTENANCE PAYROLL		2.30
			PAYROLL (JUNE)	15.12	12.17
3208	07-17-2001	39	LEGAL FEES		
2000	0.00		JULY COURT PYMT #00-1431	-4.01	8.16
3208	07-17-2001	39	LEGAL FEES		
9100	07 77 0001		JULY COURT PYMT #99-158	-4.01	4.15
8198	07-17-2001	32	ROC COMMISSARY		
3299	07 27 2001	4.4	FOR 7/17/2001	-11.73	-7.58
3299	07-27-2001	41	MEDICAL		
3347	08-06-2001	1 4	CO-PAY 07-25-01	-2.00	-9.58
2341	00-00-2001	14	MISCELLANEOUS	•	
3347	08-06-2001	14	REFUND MEDICAL CO-PAY (7/9)	4.00	-5.58
3317	00 00-2001	14	MISCELLANEOUS		
3347	08-06-2001	8.5	REFUND MEDICAL CO-PAY (7/25) ADJUST RECEIPT	4.00	-1.58
	00 00 2001	14			
3393	08-13-2001	10	WRONG AMOUNT REFUND FOR CO-PAY MAINTENANCE PAYROLL	-4.00	-5.58
			WAGES (JULY)		
3408	08-14-2001	39	LEGAL FEES	15.58	10.00
			AUGUST COURT PAYMENT	2 4 2	
3408	08-14-2001	39	LEGAL FEES	-3.12	6.88
			AUGUST COURT PAYMENT	-3.12	2
3421	08-15-2001	41	MEDICAL	-3.12	3.76
			CO-PAY (08-13-01)	-4.00	24
3512	08-29-2001	41	MEDICAL	4.00	24
			CO-PAY (8/27)	-2.00	-2.24
3564	09-06-2001	38	INSIDE PURCHASES	2.00	-2.24
			LIBRARY COPIES (8/31)	-2.30	-4.54
3590	09-11-2001	37	POSTAGE		
			SEPTEMBER	-5.05	-9.59
3632	09-17-2001	10	21221(011)		
2642	00 10 001		WAGES - AUGUST 2001	20.09	10,50
3643	09-18-2001	39			
2612	00 10 0001	• •	SEPTEMBER COURT PAYMENT	-4.02	6.48
3043	09-18-2001	39			
8261	00 10 2001	2.0	SEPTEMBER COURT PAYMENT	-4.02	2.46
3 & V I	09-10-2001	32	ROC COMMISSARY		
			FOR 9/18/2001	-10.04	-7.58
			DATAMOR ARMED		
			BALANCE AFTER THESE TRANSACTION	ONS>	-7.58

· PA DEPT. OF CORRECTIONS BUREAU OF COMPUTER SERVICES PARTIAL ACCOUNT LISTING REMOTE PRINT TIME 13:10

BZ2761 MONTAGUE

INMATE ACCOUNTS SYSTEM FROM PURGE FILE

RUN IAS365 DATE 4/01/2002 PAGE

INMATE NAME NUMBER LAST

FIRST TERRANCE MI STARTING BALANCE -7.58

BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
3832	10-15-2001	10	MATMERIANCE DAVIDOTA		
3032	10-13-2001	10	MAINTENANCE PAYROLL SEPTEMBER 2001 WAGES	27.46	40.00
3847	10-16-2001	39	LEGAL FEES	27.46	19.88
			OCTOBER COURT PAYMENT	-5.49	14.39
3847	10-16-2001	39	LEGAL FEES	-3.49	14.39
			OCTOBER COURT PAYMENT	-5.49	8.90
8290	10-17-2001	32	ROC COMMISSARY	0.13	
			FOR 10/17/2001	-8.71	.19
3891	10-22-2001	38	INSIDE PURCHASES		
			LIBRARY COPIES	70	51
4016	11-08-2001	41	MEDICAL		
4004			CO-PAY 11-07-01	-2.00	-2.51
4031	11-13-2001	10	MAINTENANCE PAYROLL		
4043	11 14 0001	2.0	OCTOBER 2001 WAGES	21.09	18.58
4043	11-14-2001	39	LEGAL FEES		
4043	11-14-2001	39	NOVEMBER COURT PAYMENT LEGAL FEES	-4.22	14.36
1015	11 14-2001	39	NOVEMBER COURT PAYMENT	4 00	
8318	11-14-2001	32	ROC COMMISSARY	-4.22	10.14
			FOR 11/14/2001	-18.55	0 42
4065	11-16-2001	13	PERSONAL GIFT FROM	-10.00	-8.41
			BERNICE MONTAGUE #418473	100.00	91.59
4096	11-20-2001	31	OUTSIDE PURCHASES		21.05
			GIANT BEEF SAUSAGE CHEESE SPEC	-19.99	71.60
0	12-10-2001	82	TRANSFER OUT		
			ROCKVIEW		
0	12-10-2001	81	TRANSFER IN		
2000	10 10 0000	<i>6</i> =1	CAMP HILL		
2062	12-10-2001	41	MEDICAL		
0	12-10-2001	8 2	MEDICAL SERVICES	-2.00	69.60
· ·	12-10-2001	02	TRANSFER OUT CAMP HILL		
0	12-10-2001	81	TRANSFER IN		
		0 1	ROCKVIEW		
4242	12-11-2001	39	LEGAL FEES		
			DECEMBER COURT PAYMENT	-20.00	49.60
4242	12-11-2001	39	LEGAL FEES	20.00	45.00
			DECEMBER COURT PAYMENT	-20.00	29.60
8353	12-19-2001	32	ROC COMMISSARY		
			FOR 12/20/2001	-29.49	.11
0	12-20-2001	8 2	TRANSFER OUT		
•	10 00 000		ROCKVIEW		
0	12-20-2001	81			
			CAMP HILL		

PA DEPT. OF CORRECTIONS BUREAU OF COMPUTER SERVICES PARTIAL ACCOUNT LISTING REMOTE PRINT TIME 13:10 FROM PURGE FILE

BZ2761 MONTAGUE

INMATE ACCOUNTS SYSTEM

RUN IAS365 DATE 4/01/2002 PAGE

INMATE NAME NUMBER LAST

FIRST TERRANCE MI

BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
2169	12-20-2001	41	MEDICAL		
			MEDICAL SERVICES	-4.00	-3.89
0	12-20-2001	92	TRANSFER OUT		
			CAMP HILL		
0	12-20-2001	91	TRANSFER IN		
			ROCKVIEW		
0	12-20-2001	92	TRANSFER OUT		
			ROCKVIEW		
0	12-20-2001	91	TRANSFER IN		
			CAMP HILL		
2169	12-20-2001	86	ADJUST PAYMENT		
		41	POSTING ERROR	4.00	.11
2169	12-20-2001	41	MEDICAL		
			MEDICAL SERVICES	-8.00	-7.89
0	12-20-2001	92	TRANSFER OUT		
			CAMP HILL		
0	12-20-2001	91	TRANSFER IN		
			ROCKVIEW		
			BALANCE AFTER THESE TRANSACT	IONS>	-7.89

INMATE ACCOUNTS SYSTEM

RUN

-4.00

-6.93

-6.93

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PA DEPT. OF CORRECTIONS

BUREAU OF COMPUTER SERVICES PARTIAL ACCOUNT LISTING REMOTE PRINT TIME 13:10 FROM ACTIVE FILE DATE 4/01/2002 PAGE INMATE NAME FIRST NUMBER LAST MI STARTING BALANCE BZ2761 MONTAGUE TERRANCE BATCH DATE TRANSACTION BALANCE AFTER MO DY YEAR TRANSACTION DESCRIPTION # AMOUNT TRANSACTION 4392 01-03-2002 41 MEDICAL CO-PAYS (12/31) -4.00 -11.89 4451 01-10-2002 14 MISCELLANEOUS CO-PAY REFUND FOR 12/31 #4392 4.00 -7.89 4465 01-14-2002 10 MAINTENANCE PAYROLL WAGES - DECEMBER 2001 5.76 -2.13 4576 01-29-2002 41 MEDICAL CO-PAY (01-24-02) DENTAL -2.00 -4.13 4662 02-11-2002 10 MAINTENANCE PAYROLL JANUARY WAGES 2002 12.96 8.83 8046 02-15-2002 32 ROC COMMISSARY FOR 2/15/2002 -8.77 .06 02-26-2002 13 PERSONAL GIFT FROM 4768 BERNICE MONTAGUE #834468 25.00 25.06 8058 02-27-2002 32 ROC COMMISSARY FOR 2/27/2002 -24.90 .16 4859 03-11-2002 10 MAINTENANCE PAYROLL FEBRUARY WAGES 2002 7.20 7.36 03-12-2002 13 PERSONAL GIFT FROM 4865 #F280742 50.00 57.36 MONTAGUE, B 4869 03-12-2002 39 LEGAL FEES MARCH COURT PAYMENT -11.14 46.22 4869 03-12-2002 39 LEGAL FEES MARCH COURT PAYMENT -16.44 29.78 4890 03-13-2002 44 ORGANIZATIONAL LIFER'S PHOTO TICKETS -3.00 26.78 8072 03-13-2002 32 ROC COMMISSARY FOR 3/13/2002 -29.71 -2.93 5004 03-28-2002 41 MEDICAL

BALANCE AFTER THESE TRANSACTIONS---->

CO-PAY (3/26)

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OFFICE OF THE CLERK

UNITED STATES COURT OF APPEALS

Telephone

State Correctional Institution

at Rockview Superintendent's Office

267-299-4926

Marcia M. Waldron Clerk FOR THE THIRD CIRCUIT
21400 United States Courthouse
601 Market Street
Philadelphia PA 19106-1790

pacer.ca3.uscourts.gov

March 28, 2002

ATTENTION: WARDEN Rockview SCI P.O. Box A

Bellefonte, PA 16823

RE: Docket No. 02-1568

Terrance Montague vs. Meyers

D. C. No. 00-cv-00895

Dear Warden:

Enclosed herewith is a certified copy of an Order filed today directing the Warden to forward the initial payment assessed to the Clerk of the District Court.

Your check should be mailed to the Clerk of the District Court at the following address:

Clerk, United States District Court
228 Walnut Street
Room 1060
Harrisburg, PA 17108

Please do not send the check or money order to The United States Court of Appeals.

Very truly yours, MARCIA M. WALDRON

Clerk

By: Carolyn Hicks, Case Manager

cc:

Terrance Montague #BZ-2761 Maryanne M. Lewis, Esq.

EPS-12명

March 28, 2002 UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. <u>02-1568</u>

Montague v. Meyers (M.D. Pa. No. 00-cv-00895)

To: Clerk

1) Motion for Leave to Proceed In Forma Pauperis

The foregoing Motion to proceed in forma pauperis is granted. Appellant is a prisoner and seeks to proceed in forma pauperis on appeal. Appellant is required to pay the full \$105.00 fee in installments regardless of the outcome of the appeal. Appellant has completed and filed the required authorization form permitting the appropriate prison officials to assess, collect and forward to the District Court the filing and docketing fees for this appeal pursuant to 28 U.S.C. §§ 1915(b)(1) and (2). The Court hereby directs the warden or his or her designee to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to the prisoner's account; or (b) the average monthly balance in the prisoner's account for the six month period immediately preceding the filing of the notice of appeal. The warden, or his or her designee, shall calculate, collect, and forward the initial payment assessed in this order to the United States District Court for the Middle District of Pennsylvania. In each succeeding month when the amount in the prisoner's account exceeds \$10.00, the warden, or his or her designee, shall forward payments to the United States District Court for the Middle District of Pennsylvania equaling 20% of the preceding month's income credited to the prisoner's account until the fees are paid. Each payment shall reference the appellate docket number for this appeal.

This appeal will be submitted to a panel of the Court for determination under 28 U.S.C. § 1915(e)(2). The Court also will consider any other appropriate action, such as summary affirmance of the order of the District Court. See Third Circuit Internal Operating Procedures Chapter 10.6.

Should the appellant file in this Court for <u>in forma pauperis</u> in the future, the motion must be accompanied by an affidavit in the form specified by the <u>Federal Rules of Appellate Procedure</u>.

For the Court,

Clerk

Dated: March 28, 2002

CH/cc: Mr. Terrance Montague

Maryanne E. Lewis, Esq.

A True Come Harby

rance m. Waller